

REMARKS/ARGUMENTS

Favorable reconsideration of the present application is respectfully requested.

Claims 4 and 13 have been cancelled. The subject matter thereof has been incorporated into claims 1 and 10, respectively. Claims 1 and 10 therefore now recite an X-ray half value width of martensite which equals 5°.

New claims 18-20 have been added. Of these, claim 19 recites that the high carbon bearing steel comprises high carbon chromium bearing steel. Basis for this is found in original claim 5. New claims 18 and 20 recite that the steel comprises JIS SUJ2. Basis for this is found at page 4, line 2.

Claims 14-17 have been withdrawn from consideration.

Claims 1-13 were rejected under 35 U.S.C. §102 as being anticipated by the article to Stahl et al (reference "AW" in the Information Disclosure Statement filed on July 19, 2004). However, this rejection is believed to be moot in light of the incorporation of the subject matter of claim 4 into claim 3.

Claims 1-13 were rejected under 35 U.S.C. §102 as being anticipated by GB 2352484 (GB '484). However, this rejection is respectfully traversed. According to the Office Action, GB '484 discloses a rolling, sliding part made of bearing steel and having a 4 to 6 degree X-ray half value width of martensite. However, the Office Action does not specify where the claimed X-ray half value width is found in the reference. GB '484 discloses a part made of SUJ2 steel, with a surface layer having a Rockwell C hardness of 63 and 8 volume percent in retained austenite content. However, there is no description in the reference concerning the X-ray half value width of martensite. Since there is no evidence indicative of the claimed martensite X-ray half width value being inherent in GB '484, it is respectfully submitted that the claims also define over this reference.

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Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

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